

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

JAMES C. KISNTER,

Plaintiff,

v.

THE CITY OF BUFFALO, *et al.*

Defendants.

NOTICE OF MOTION
TO DISMISS AND FOR
SUMMARY JUDGMENT

Case No. 18-cv-00402

MOTION MADE BY:

Defendants, CITY OF BUFFALO,
BYRON LOCKWOOD
(incorrectly sued here as "BRYON
LOCKWOOD"), DANIEL
DERENDA, LAUREN
MCDERMOTT, JENNY VELEZ,
KARL SCHULTZ, KYLE
MORIARTY (incorrectly sued
here as "KYLE MORIARTY"),
DAVID T. SANTANA,
ANTHONY MCHUGH, and
JOHN DOE(S) (hereinafter
"Defendants").

DATE, TIME AND
PLACE OF HEARING

On a date to be set by the Court
at the United States District Court
for the Western District of New
York.

RELIEF SOUGHT:

Dismissal of Plaintiff's complaint
pursuant to Fed.R.Civ.P. 12(c) for
judgment on the pleadings
and/or Fed.R.Civ.P. 56 for
summary judgment, costs, and
such other relief as deemed
proper.

SUPPORTING PAPERS:

Statement of Undisputed Material Facts, Declaration of Maeve E. Huggins, Esq., Assistant Corporation Counsel, *of Counsel* to Timothy A. Ball, Esq., Corporation Counsel for the City of Buffalo, dated April 30, 2021, together with the accompanying Memorandum of Law and Exhibits, and all the pleadings and proceedings before had herein.

ANSWERING PAPERS:

Any answering papers must be served in accordance with the Federal Rules of Civil Procedure, the Local Rules of Civil Procedure, and any briefing schedule set by the Court. The Defendants request the opportunity to submit reply papers.

Dated: April 30, 2021
Buffalo, New York

TIMOTHY A. BALL, ESQ.
Corporation Counsel
Attorney for the Defendants

/s/ Maeve E. Huggins
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